

## **Guidance on Solicitation of Donations**

### **Authority**

The purpose of this guidance is to convey guidelines for soliciting donations for the Elderly Nutrition Program. Section 315 of the Older Americans Act and California regulations found in the California Code of Regulations (Title 22, Section 7638.9, below) specifies the requirements for soliciting donations for meals.

Title 22 Section 7638.9 states:

7638.9. Contributions and Fees for Cost of Meals.

(a) An eligible individual who receives a meal shall be given the opportunity to contribute to the cost of the meal.

(b) The nutrition services provider shall develop a suggested contribution. When developing this contribution amount, the income ranges of the older individuals in the community and the provider's other sources of income shall be considered.

(c) A sign indicating the suggested contribution for eligible individuals, and the fee for guests, shall be posted near the contribution container at each congregate meal site. A guest fee shall cover all meal costs.

(d) No eligible individual shall be denied participation because of failure or inability to contribute.

(e) The provider shall ensure that the amount of the eligible participant's contribution is kept confidential.

(f) The nutrition services provider shall establish written procedures to protect contributions and fees from loss, mishandling, and theft. Such procedures shall be kept on file at the provider's site.

(g) All contributions and fees shall be identified as program income and used to increase the number of meals served, to facilitate access to such meals, and to provide nutrition-related supportive services.

Note: Authority cited: Sections 9102 and 9105, Welfare and Institutions Code.

Reference: 42 U.S.C. 3030c-2

### **Policy Guidance**

The California Department of Aging developed the following guidelines to clarify the allowable methods used to obtain voluntary contributions.

- Each eligible participant's donation must be kept confidential. Develop a procedure for donations that provides the congregate client with a confidential method of making a donation to the program, such as: place the donation box away from the sign in table, if space allows, or place a screen around the donation box, or provide an envelope for the donation to be placed in.

- A donation request, in letter or written format, may be used.
- Each request for donation must clearly state that no eligible individual shall be denied participation because of failure or inability to contribute.
- Volunteers and/or staff at the sign-in table should be trained in honoring the confidential nature of the contributions.

The following methods to increase donations will not be allowed.

- Donations may not be tracked by accounts receivable.
- Donations may not be tracked by individual participant.
- Programs may not state in pamphlets or on websites that payment is required for meals.
- Programs may not in any way employ tactics which could be viewed as embarrassing and/or obligatory requests for donations.
- Tactics such as allowing volunteers to guard the collection boxes or having participants sign in and pay before receiving a meal ticket is strictly prohibited.
- At the time of the intake interview, a program may not compel an eligible individual to pledge a particular amount as an agreed upon donation.
- Solicitation of voluntary contributions may not be coercive.
- A donation request should not resemble a billing statement or invoice.
- The nutrition services provider may not develop a suggested contribution based on an individual's income.